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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA (FLORENCE DIVISION)**

JOSHUA JORDAN,
individually and as assignee
of Prehired, LLC,
Plaintiff,

v.

JEFFREY BERNSTEIN, individually,
STRATEGIC EDUCATION LOAN FUND, LLC,
and
ISA PLUS, LLC,
Defendants.

Case No.: 4:24-cv-05775-JD-TER

**MOTION FOR ALTERNATIVE
SERVICE AND MEMORANDUM IN
SUPPORT**

Plaintiff Joshua K. Jordan ("Jordan"), proceeding pro se, hereby moves this Court pursuant to Federal Rule of Civil Procedure 4(e)(1) for an order permitting alternative service upon Defendants ISA Plus, LLC ("ISAP"), Strategic Education Loan Fund, LLC ("SELF"), and Jeffrey Bernstein ("Bernstein"). In support of this Motion, Jordan states as follows:

1. The Complaint in this matter was filed on 10/10/24 and summonses were issued for all Defendants.
2. The California Secretary of State records show that both ISAP and SELF maintain their registered agent address at 6610 Lavandula Court, San Diego, California 92130. (See Exhibits A and B: California Secretary of State Records)
3. Upon information and belief, Defendant Bernstein also resides at this same address.
4. Between October 18 and October 23, 2024, process server Russell Livingston made six separate attempts to serve the Defendants at this address:

- October 18, 2024, at 5:18 PM

- October 20, 2024, at 5:20 PM
- October 21, 2024, at 7:37 AM
- October 22, 2024, at 3:08 PM
- October 22, 2024, at 6:18 PM
- October 23, 2024, at 7:00 AM

5. These attempts were made at varying times of day and on different days of the week to maximize the likelihood of finding someone present. (See Exhibit C: Process Server's Affidavit)

6. On October 21, 2024, at 7:37 AM, upon information and belief, Mrs. Bernstein (Defendant Bernstein's wife) was present at the residence but refused to accept service, stating that "the subject is unavailable." This suggests a deliberate attempt to evade service.

7. Defendants appear to be evading service while maintaining this address as their official registered address for service of process with the California Secretary of State.

8. There is a related case pending in the Southern District of California (Case No.: 3:22-cv-01211-JAH-JLB) in which Defendants ISAP and Bernstein are represented by Andrew Nagurney of Thorsnes Bartolotta McGuire LLP ("Attorney Nagurney").

9. Attorney Nagurney and his firm maintain their office at 2550 5th Avenue, 11th Floor, San Diego, California 92103, and can be reached at (619) 383-1582.

10. Plaintiff is in regular contact with Attorney Nagurney regarding the California litigation, and Attorney Nagurney has previously accepted service via email on behalf of Defendants in that matter.

11. Prior to filing this action, Plaintiff made multiple attempts over two and a half years to settle the disputes with Defendants, including informing them on 10/7/2024 of his intention to file an action in federal court if settlement could not be reached.

12. Upon information and belief, Defendants are deliberately evading service with knowledge of this pending action, as evidenced by:

- a) Plaintiff's prior notice to Defendants through counsel of his intention to file in South Carolina;
- b) The repeated unsuccessful attempts at service at the registered address;
- c) The presence of a resident (believed to be Mrs. Bernstein) who refused to accept service;
- d) The continued maintenance of the Lavandula Court address as the official service address while apparently avoiding presence there during multiple attempted services.

WHEREFORE, Plaintiff respectfully requests that this Court grant permission for alternative service through one or more of the following methods:

- 1. Service by email to Attorney Andrew Nagurney at "Nagurney@tbmlawyers.com", who currently represents Defendants ISAP and Bernstein in the related California federal court case;
- 2. Service by certified mail to Attorney Nagurney at:

Thorsnes Bartolotta McGuire LLP

2550 5th Avenue, 11th Floor

San Diego, California 92103

3. Service by certified mail to the registered agent address for all Defendants at:

6610 Lavandula Court

San Diego, California 92130

4. In the alternative, service by publication in a newspaper of general circulation in San Diego County, California.

Plaintiff submits that email service through Attorney Nagurney, who currently represents Defendants in related federal litigation and has previously accepted email service and as of this month is still communicating back and forth with me via his email at "Nagurney@tbmlawyers.com", would be the most efficient and effective means of ensuring actual notice to Defendants. This method is reasonably calculated to provide actual notice to Defendants and would satisfy due process requirements while preventing further delays caused by apparent service evasion.

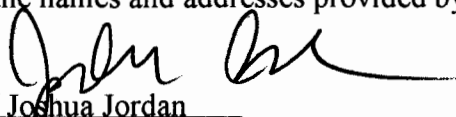
Respectfully submitted on October 31, 2024.



By: /s/ Joshua Jordan
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CERTIFICATE OF SERVICE

I hereby certify that on October 31, 2024 a true and correct copy of this document is being served via the CM/ECF federal courts electronic portal to the names and addresses provided by the parties.



By: /s/ Joshua Jordan
Joshua Jordan, Pro Se.